

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Jersey



United States of America
v.
CARLOS AXALCO-HUERTA

Case No.
25-mj-2028 (AMD)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 27, 2025 in the county of Burlington in the
District of New Jersey, the defendant(s) violated:

Code Section

8 U.S.C. Section 1326(a)

Offense Description

Illegally reentering the United States after having been previously deported,
See Attachment A

This criminal complaint is based on these facts:

See Attachment B

☒ Continued on the attached sheet.

Complainant's signature

ELLEN CHAO, Deportation Officer, U.S.I.C.E.

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/09/2025

City and state: Camden, New Jersey

Judge's signature

HON. ANN MARIE DONIO

Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

A handwritten signature in cursive script, reading "Diana Vondra Carrig".

By: _____
DIANA VONDRA CARRIG
Assistant U.S. Attorney

Date: _____ April 9, 2025 _____

Attachment A

On or about February 27, 2025, in Burlington County, in the District of New Jersey, and elsewhere, the defendant,

CARLOS AXALCO-HUERTA,
a/k/a "Carlos Huerta,"

an alien, who had been previously excluded, deported, and removed and had departed from the United States while an order of deportation or removal was outstanding, did knowingly and unlawfully enter and was found in the United States without the express consent of the Secretary of the Department of Homeland Security or the Attorney General of the United States to reapply for admission prior to his reembarkation at a place outside the United States.

In violation of Title 8, United States Code, Section 1326(a).

Attachment B

I, Ellen Chao, am a Deportation Officer of U.S. Immigration and Customs Enforcement ("ICE"). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports and documents. Because this Complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date and time alleged.

1. Defendant Carlos Axalco-Huerta ("AXALCO-HUERTA") is a native and citizen of Mexico.

2. On June 26, 2016, an immigration officer of the United States Department of Homeland Security ("DHS") located in Rio Grande City, Texas ordered AXALCO-HUERTA removed from the United States to Mexico.

3. On that same date, AXALCO-HUERTA was removed from the United States to Mexico while the order of removal was outstanding.

4. On April 2, 2018, AXALCO-HUERTA was encountered by a DHS Immigration Officer in Monmouth County, New Jersey, after illegally reentering the United States without obtaining the express consent of the Attorney General or the Secretary of Homeland Security.

5. On June 27, 2018, AXALCO-HUERTA pleaded guilty in United States District Court for the District of New Jersey, Crim. No. 18-367 (PGS), to a one-count information charging him with illegal reentry, in violation of 8 U.S.C. § 1326(a). He was sentenced on or about August 14, 2018, to a period of imprisonment of time served, to be followed by one year of supervised release.

6. On October 9, 2018, AXALCO-HUERTA was removed from the United States to Mexico pursuant to the order of removal set forth in paragraph 2, above.

7. Thereafter, AXALCO-HUERTA re-entered the United States on an unknown date at an unknown location without obtaining the express consent of the Attorney General or the Secretary of Homeland Security.

8. On December 21, 2022, AXALCO-HUERTA was arrested in or around Howell Township, New Jersey, by DHS immigration officers for reinstatement of

removal. He was charged by complaint with illegal reentry in violation of 8 U.S.C. § 1326(a) in United States District Court for the District of New Jersey, Mag. No. 23-mj-3003 (TJB). His case was dismissed with the consent of the parties on January 24, 2023.

9. On February 18, 2023, AXALCO-HUERTA was removed from the United States to Mexico pursuant to the order of removal set forth in paragraph 2, above.

10. Thereafter, AXALCO-HUERTA illegally reentered the United States on an unknown date at an unknown location without obtaining the express consent of the Attorney General or the Secretary of Homeland Security.

11. New Jersey Motor Vehicle Commission ("NJMVC") records revealed that an individual with AXALCO-HUERTA's name and date of birth had a New Jersey Driver's license registered at an address in Browns Mills, New Jersey, and also had a 2022 black Chevrolet Silverado registered at the same address.

12. On or about February 27, 2025, federal law enforcement officers went to the Browns Mills address listed on AXALCO-HUERTA's driver's license while looking for another person. While at the residence, officers encountered AXALCO-HUERTA and obtained evidence confirming his identity, including:

- a. An officer who had arrested AXALCO-HUERTA in New Jersey on or about December 21, 2022 identified AXALCO-HUERTA after viewing AXALCO-HUERTA through the window of the residence.
- b. When addressed as "Carlos" by another officer, AXALCO-HUERTA responded, "Yeah."
- c. The 2022 Chevy Silverado registered in AXALCO-HUERTA was in the driveway of the residence.
- d. While at the residence, an officer took photographs of AXALCO-HUERTA.

13. I compared the photographs taken on February 27, 2025 at the residence in Browns Mills, New Jersey to other known photographs of AXALCO-HUERTA from his immigration file, and the man depicted in the photographs taken on February 27, 2025 in Browns Mills appears to be AXALCO-HUERTA.